

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHEVRON CORPORATION,	:
	:
Plaintiff,	:
	:
-against-	:
	:
	Case No. 11 Civ. 0691 (LAK)
	:
STEVEN R. DONZIGER, et al.,	:
	:
Defendants.	:
	:
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**DECLARATION OF JASON B. STAVERS IN SUPPORT OF CHEVRON
CORPORATION'S REPLY MEMORANDUM OF LAW AND
STATEMENT OF MATERIAL FACTS IN FURTHER SUPPORT OF ITS
MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS,
COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY
JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF
COLLATERAL ESTOPPEL**

I, JASON B. STAVERS, hereby declare under penalty of perjury pursuant to 28 U.S.C.
§ 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of Colorado and am admitted *pro hac vice* in this action. I am an attorney at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for Chevron Corporation in the above-captioned matter. I am over the age of eighteen years and am not a party to this action. I am personally familiar with the facts set forth herein, unless stated otherwise.

2. I make this declaration in support of Chevron Corporation's Reply Memorandum of Law and Statement of Material Facts in Further Support of its Motion for Partial Summary

Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment on Defendants' Affirmative Defense of Collateral Estoppel.

3. Attached hereto as **Exhibit 3650** is a true and correct copy of Exhibit 9 to the Declaration of Randy M. Mastro, filed in support of Chevron's Opposition to Motion for Continuance in *Chevron Corporation v. Maria Aguinda Salazar, et al.*, No. 11 Civ. 3718 (LAK) (Dkt. 248-9), constituting an excerpt from the transcript of the March 10, 2011 deposition of Joseph Berlinger.

4. Attached hereto as **Exhibit 3651** is a true and correct copy of Exhibit 10 to the Declaration of Randy M. Mastro, filed in support of Chevron's Opposition to Motion for Continuance in *Chevron Corporation v. Maria Aguinda Salazar, et al.*, No. 11 Civ. 3718 (LAK) (Dkt. 248-10), constituting an October 8, 2010 email from Laura Garr to Steven Donziger and Andrew Woods with the subject line "Re: Transition Memo" produced by Donziger bearing the Bates number DONZ00014467.

5. Attached hereto as **Exhibit 3652** is a true and correct copy of a notarized Witness Statement signed by Douglas Beltman.

6. Attached hereto as **Exhibit 3653** is a true and correct copy of a notarized Witness Statement signed by Ann Maest.

7. Attached hereto as **Exhibit 3654** is a true and correct copy of an excerpt from the LAP Representatives' Motion for Continuance in *Chevron v. Salazar, et al.*, Case No. 11-cv-3718 (LAK) (Dkt. 198), filed on August 10, 2011.

8. Attached hereto as **Exhibit 3655** is a true and correct copy of an August 23, 2007 email from Pablo Fajardo Mendoza to Steven Donziger, Luis Yanza, and Pablo Fajardo with subject line "Respuesta R. Aguia FR" ["Reply Water R FR"] produced by Donziger bearing the Bates number DONZ00044093, and a certified English translation thereof.

9. Attached hereto as **Exhibit 3656** is a true and correct copy of an August 23, 2007 email from Steven Donziger to Pablo Fajardo Mendoza with subject line “Respuesta R. Aguia FR” [“Reply Water R FR”] produced by Donziger bearing the Bates number DONZ00062881, and a certified English translation thereof.

10. Attached hereto as **Exhibit 3657** is a true and correct copy of Official Letter No. 043 CIGMYP-2006 dated January 20, 2006 from Gustavo Pinto Artega, to Dr. Germán Yáñez, and a certified English translation thereof.

11. Attached hereto as **Exhibit 3658** is a true and correct copy of an Amicus Curiae brief filed in the Lago Agrio court by Alianza Mundial de Derecho Ambiental (Environmental Law Alliance Worldwide) dated June 15, 2009, and a certified English translation thereof.

12. Attached hereto as **Exhibit 3659** is a true and correct copy of an Order dated September 17, 2010 in Lago Agrio Recusal Proceeding No. 002-2010, and a certified English translation thereof.

13. Attached hereto as **Exhibit 3660** is a true and correct copy of an Order dated October 11, 2010 entered in the Lago Agrio court signed by Judge Nicolas Zambrano Lozada, and a certified English translation thereof.

14. Attached hereto as **Exhibit 3661** is a true and correct copy of excerpted pages 205-206 from the transcript of the deposition of Douglas Allen, taken on December 16, 2010.

15. Attached hereto as **Exhibit 3662** is a true and correct copy of a letter dated September 4, 2012 from Christopher Joralemon to Defendants’ counsel, and an attachment bearing the Bates number CVX-RICO-1245837.

16. Attached hereto as **Exhibit 3663** is a true and correct copy of the Supplemental Expert Report of Michael L. Younger, dated February 28, 2013.

17. Attached hereto as **Exhibit 3664** is a true and correct copy of pages from the

Lago Agrio court record, numbered 211,685 to 211,686.

18. Attached hereto as **Exhibit 3665** is a true and correct copy of a page from the Lago Agrio court record, numbered 211,685 vuelta, and bearing the Bates number CVX-RICO-01248927.

19. Attached hereto as **Exhibit 3666**, which is marked confidential and has been filed under seal pursuant to the Protective Order in this action (Dkt. 723), is a true and correct copy of an excerpt from Alberto Guerra Bastidas' Banco Pichincha bank records, for the period February 2, 2012 through March 5, 2012, and bearing the Bates number CVX-RICO-5913158 to CVX-RICO-5913159.

20. Attached hereto as **Exhibit 3667** is a true and correct copy of an email dated February 13, 2006 from Steven Donziger to Alejandro Ponce Villacis with subject line, "Idea" produced by Donziger bearing the Bates number DONZ00028237, and a certified English translation thereof.

21. Attached hereto as **Exhibit 3668** is a true and correct copy of an email dated April 25, 2009 from Steven Donziger to Michaela D'Amico with the subject line, "quick urgent carpeta question" produced by Donziger bearing the Bates number DONZ00040622.

22. Attached hereto as **Exhibit 3669** is a true and correct copy of the PEPDA annual report for 2007 entitled, "Proyecto de Eliminación de Pasivos Ambientales a Través del Proyecto – PEPDA – en el Distrito Amazónico" [Project for the Elimination of Environmental Liabilities Through the PEPDA Project in the Amazon District], and a certified English translation thereof.

23. Attached hereto as **Exhibit 3670** is a true and correct copy of an email dated December 1, 2008 from Steven Donziger to Julio Prieto and Juan Pablo Saenz with the subject line, "new pasante" produced by Donziger bearing the Bates number DONZ00065435.

24. Attached hereto as **Exhibit 3671** is a true and correct copy of an email dated August 19, 2007 from Fernando Reyes to Steven Donziger with subject line, “Estudio Gas Natural” [Natural Gas Study] produced by Donziger bearing the Bates number DONZ00089950, and a certified English translation thereof.

25. Attached hereto as **Exhibit 3672** is a true and correct copy of an email dated June 13, 2008 from Graham Erion to Steven Donziger with the subject line, “Update” produced by Donziger bearing the Bates number DONZ00093068.

26. Attached hereto as **Exhibit 3673** is a true and correct copy of an email dated August 10, 2007 from Fernando Reyes to Steven Donziger with subject line, “Estudio Gas Natural” [Natural Gas Study] recovered from a hard drive produced by Donziger and bearing the Bates number DONZ-HDD-0121153, and a certified English translation thereof.

27. Attached hereto as **Exhibit 3674** is a true and correct copy of Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje’s initial expert disclosures, dated March 1, 2013.

28. Attached hereto as **Exhibit 3675** is a true and correct copy of a declaration by Charles E. Clayman, dated April 11, 2013, attaching as Exhibit A a document entitled “AYUDA MEMORIA DEL PROCESO” and a certified English translation thereof.

29. Attached hereto as **Exhibit 3676** is a true and correct copy of a declaration by Alberto Guerra Bastidas, dated April 11, 2013, and a certified English translation thereof, attaching as Exhibit A a document entitled “AYUDA MEMORIA DEL PROCESO” and a certified English translation thereof.

30. Attached hereto as **Exhibit 3677** is a true and correct copy of a declaration by Gerald R. McMnamin, dated April 11, 2013.

31. Attached hereto as **Exhibit 3678** is a true and correct copy of a declaration by Dr.

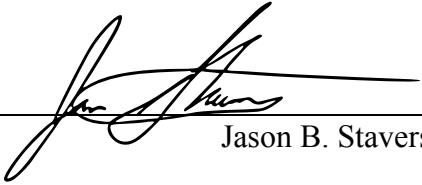
Santiago Velazquez Coello, dated April 5, 2013 and a certified English translation thereof.

32. Attached hereto as **Exhibit 3679** is a true and accurate copy of the Supplemental and Rebuttal Expert Report of Dr. Santiago Velazquez Coello, dated April 11, 2013. Chevron will provide a certified English translation as soon as it is available.

33. Attached hereto as **Exhibit 3680** is a true and correct copy of the Supplemental Expert Report of Michael L. Younger, dated April 11, 2013. The exhibits to Mr. Younger's report are being separately provided to the Court and party counsel on DVD.

34. Attached hereto as **Exhibit 3681** is a true and correct copy of the Supplemental Report of Keith Rayner, dated April 11, 2013.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 12, 2013 at Denver, Colorado.



Jason B. Stavers